THE HONOURABLE SRI JUSTICE GODA RAGHURAM

WRIT PETITION No. 22308 of 2006

DATED: 23-08-2007

Between:

Chegu Sambasivarao

…Petitioner

and

The District Collector,
Guntur District and others

…Respondents

THE HONOURABLE SRI JUSTICE GODA RAGHURAM

W.P.No. 22308 of 2006

Oral order:

The writ petition is misconceived. It is alleged that the respondents have dispensed with the procedure contemplated under Section 5-A of the Land Acquisition Act, 1894 (for short 'the Act').

The petitioner claims to be the owner of an extent of Ac. 0-87 cents in Sy.No.214/3 in Parasa Sivaru 75 Talluru Village, Pedakurapadu Mandal, Guntur District. He claims to be a small farmer too. According to the petitioner, on 19-10-2006 the 1st respondent affixed a letter in the Gram Panchayat Office intimating about the notification issued under Section 4 (1) of the Act. Copies of these notifications are stated to have been affixed on the Notice Boards of the MRO, MPDO, Police Station and Gram Panchayat. On 19-10-2006 itself the 3rd respondent is stated to have affixed another notice on the Notice Board of the Gram Panchayat soliciting objections under Section 5-A of the Act. The petitioner is stated to have lodged his objections on 23-10-2006 to the 3rd respondent. Nowhere in the writ petition, it is pleaded that the draft declaration under Section 6 of the Act has been issued nor that notices under Sections 9 and 10 nor an award notice calling upon the petitioner to attend the award enquiry. Nevertheless the petitioner assails the very preliminary proposals for acquisition of the land, issued under Section 4 (1) of the Act.

For the aforesaid reasons and since there is no pleading that either the draft declaration under Section 6 of the Act or an award notice has been issued or an award is passed, the writ petition does

not disclose any cause of action and is accordingly dismissed.

The petitioner is at liberty to seek appropriate relief as and when a cause of action arises. There shall be no order as to costs.

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GODA RAGHURAM, J

23-08-2007
GRR